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FIRST NAMED INVENTOR APPLICATION NO. FILING DATE ATTORNEY DOCKET NO. CONFIRMATION NO. 10/008,592 11/09/2001 Nirav Dalal SJ1-040US 2457 EXAMINER 7590 03/01/2004 PACESETTER, INC. MANUEL, GEORGE C 15900 VALLEY VIEW COURT ART UNIT PAPER NUMBER SYLMAR, CA 91392-9221 3762 DATE MAILED: 03/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

		Of
Office Action Summary	Application No.	Applicant(s)
	10/008,592	DALAL, NIRAV
	Examiner	Art Unit
	George Manuel	3762
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply		
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).		
Status		
1) Responsive to communication(s) filed on 21 Oc	ctober 2002.	
, , ,	action is non-final.	
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is		
closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.		
Disposition of Claims		
4)  Claim(s) 1-19 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration.  5)  Claim(s) is/are allowed.  6)  Claim(s) 1-19 is/are rejected.  7)  Claim(s) is/are objected to.  8)  Claim(s) are subject to restriction and/or election requirement.		
Application Papers		
<ul> <li>9) The specification is objected to by the Examiner.</li> <li>10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).</li> <li>11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.</li> </ul>		
Priority under 35 U.S.C. § 119		
<ul> <li>12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).</li> <li>a) All b) Some * c) None of:</li> <li>1. Certified copies of the priority documents have been received.</li> <li>2. Certified copies of the priority documents have been received in Application No.</li> <li>3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).</li> <li>* See the attached detailed Office action for a list of the certified copies not received.</li> </ul>		
Attachment(s)  1) Notice of References Cited (PTO-892)  2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  Paper No(s)/Mail Date 4.	4) Interview Summary Paper No(s)/Mail Da 5) Notice of Informal F 6) Other:	

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## **DETAILED ACTION**

## Claim Rejections - 35 U.S.C. § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 1. Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nelson et al '720.

Nelson et al disclose all of the claimed features except for different formats and protocols supported by computing devices comprising peripheral interface component 314, live waveform monitor component 316, and a report generator component 318.

One of ordinary skill in the art would have found it obvious to provide the different formats and protocols for data encoding because Nelson et al teach the device component 313 may communicate via any number of structured communications schema. See the discussion related to Fig. 1, Fig.3, and Fig.4.

Regarding claims 3, 8, and 10, one of ordinary skill in the art would have found it obvious to maintain user interface definition and style sheets because Nelson et al teach any of the components of the IMD 112 may be reprogrammed without impact on other elements, as long as the component interface definitions are respected.

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Regarding claims 12 and 16, it is inherent the LEM is capable of ascertaining the capabilities of the computing resources and specifying interface and layout criteria for the resources linked via the LEM. See the discussion related to LEM 212.

## Conclusion

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Manuel whose telephone number is (703) 308-2118. The examiner can normally be reached on Mon.- Fri., 9:00-5:00.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306 for regular communications and for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1148.

George Manuel Primary Examiner Art Unit: 3762 February 24, 2004